

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PETER ALLEN, *et al.*

Plaintiffs,

-VS.-

CARL KOENIGSMANN, et al.

Defendants.

**ORDER TO PRODUCE**

**19-cv-8173 (LAP)**

**ECF**

**TO: Superintendent  
Franklin Correctional Facility  
62 Bare Hill Road  
PO Box 10  
Malone, New York 12953-0010**

**WHEREAS** Thomas Briel DIN # 22R0619 is a class member in the above-captioned matter;

**WHEREAS** Mr. Briel is currently in custody at Franklin Correctional Facility in Malone, New York; and

**WHEREAS** Mr. Briel's testimony is needed for a trial in the above-captioned matter; and

**WHEREAS** Franklin Correctional Facility has already been ordered to reserve the video conferencing equipment for August 10, 2023; and

**NOW THEREFORE, IT IS ORDERED** that the SUPERINTENDENT OF FRANKLIN CORRECTIONAL FACILITY produce Thomas Briel on August 10, 2023 at 9:00am until his testimony is complete and/or the day's proceedings have ended; and

**IT IS FURTHER ORDERED** that Mr. Briel must be allowed to participate in the video proceeding in a privileged and confidential manner; DOCCS personnel must allow him to bring any legal papers Mr. Briel has been sent by his counsel and he shall be allowed to testify without the presence of any third parties in the room, unless bona fide safety and security issues necessitate the presence of a member of DOCCS' personnel.

Dated: July \_\_\_, 2023

So ordered: \_\_\_\_\_  
LORETTA A. PRESKA, U.S.D.J.